

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Examiner : Michael S. Chambers
Art Unit : 3711
Appellant : David Morrow
Serial No. : 10/642,879
Filing Date : August 18, 2003
For : LACROSSE HANDLE
Attorney Docket : 086624.130516

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

In response to the Notification of Non-Compliant Appeal Brief mailed July 31, 2009, attached is the requested Status of Claims section listing the status of all claims.

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III. Status of Claims

Claims 41, 42, 44-47, 50-52 and 54-56 are pending and finally rejected. Claims 1-40, 43, 48-49 and 53 are cancelled. Appellant appeals with respect to claims 54-56.

Appellant does not appeal with respect to the rejections of claims 41 and 44 under 35 U.S.C. 112, or the rejections of claims 41, 42, 44-47, 50-52 under 35 U.S.C. 103. Appellant will address the rejections of these claims following the outcome of this appeal. In addition, Appellant does not appeal with respect to the provisional double patenting rejection of claims 41 and 54. If any claims of this application are allowed and a Terminal Disclaimer is necessary, Appellant will file a Terminal Disclaimer.

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In view of this submission, Appellant submits that the Appeal Brief is in proper form.

Respectfully submitted,

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